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C O N F I D E N T I A L SECTION 01 OF 04 COLOMBO 000702

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DEPARTMENT FOR SCA/INS
MCC FOR D NASSIRY, E BURKE AND F REID

E.O. 12958: DECL: 05/10/2017
TAGS: [PGOV](#) [PREL](#) [PTER](#) [PHUM](#) [MOPS](#) [CE](#)
SUBJECT: SRI LANKA: BOUCHER TELLS GOVERNMENT TO GET HUMAN
RIGHTS ABUSES UNDER CONTROL

REF: A. COLOMBO 591
[1](#)B. 2006 COLOMBO 2078

Classified By: Ambassador Robert O. Blake, Jr., for reasons 1.4(b,d).

[1](#)1. (C) SUMMARY: After meeting with human rights and non-governmental organization leaders in Jaffna, Assistant Secretary Boucher urged Sri Lankan officials to control

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paramilitary groups' human rights abuses and encourage greater freedom of the press. The Government asserted that it is not involved in human rights violations and has no control over those that are, specifically blaming the Liberation Tigers of Tamil Eelam for the deteriorating human rights conditions in Sri Lanka. While acknowledging that the Tigers are guilty of serious human rights violations, Boucher refuted arguments that the Tigers are solely responsible for Sri Lanka's problems. Paramilitary factions like the Eelam People's Democratic Party and the Karuna faction are engaging in hundreds of human rights violations, he stated, and the Government is capable of controlling these groups. Boucher also flatly rejected Government assertions that it was not engaging in human rights violations against the media, citing specific examples of journalists killed in places and at times that could only have been accomplished with the knowledge of Government security forces. He stated that the international community is beginning to lose faith in the Government, and Sri Lanka is suffering as countries, including the United States, begin to curtail economic support both because of Sri Lanka's weak human rights record and because of the escalating conflict. Boucher urged officials to reverse these trends before it is too late. END SUMMARY.

DISTURBING IMAGES IN JAFFNA

12. (C) On May 9, Assistant Secretary for South and Central Asian Affairs Richard Boucher and Ambassador visited Jaffna to discuss conditions with military commanders; human rights, humanitarian and religious leaders; and Jaffna University faculty and students. In his well-guarded compound in the High Security Zone of the Palaly Military Complex, Jaffna Commander Major General Chandrasiri provided an historical overview of hostilities on the peninsula, the current military stalemate, and government efforts to improve food supplies and livelihoods. Jaffna Government Agent Ganesh acknowledged the difficult task facing the military but confided that the government could do better in protecting and fostering Jaffna residents' ability to earn a living through fishing and agriculture. He also expressed his serious concern about continued grave human rights violations (strictly protect).

13. (C) Tamil leaders and Jaffna residents expressed greater fear of the security forces and paramilitary groups than of the Tigers. Tamil newspaper Uthayan's owner Mr. Saravanapavum and Chief Editor Mr. Kaanamylnathan stated that five staff members have been killed by government security forces in the last year, presenting a scrapbook of disturbing pictures to verify their allegations. During lunch with non-governmental organization leaders, participants largely ignored the work they re doing to benefit the community, instead imploing Boucher to pressure the government to end abuctions and extra-judicial killings. Separately, r. Remadious, a Jaffna human rights attorney, andCatholic priest J.J. Bernard provided hundreds o pages of case files and pictures documenting abuctions and extra-judicial killings in Jaffna sice December 2005. University faculty and studens expressed frustration over restrictions that hapered educational opportunities, stating that a deree

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which took a student in Colombo four years to finish took six to ten years to complete in Jaffna. Catholic Bishop Savundramagum urged Boucher to increase international involvement in Sri Lankan affairs, fearing that the parties are too polarized to resolve the problems on their own.

GOVERNMENT MUST CONTROL PARAMILITARY GROUPS

14. (C) Throughout his meetings in Colombo on May 10, Assistant Secretary Boucher expressed concern to Sri Lankan officials about paramilitary groups' human rights abuses and the government's apparent lack of political will to control them. During his meeting with President Rajapaksa, while condemning the Tiger's egregious human rights abuses, Boucher questioned the Government's commitment to curtail pro-government paramilitaries who are acting in the same manner. Rajapaksa initially dismissed abduction allegations, claiming that reports of disappearances were being faked in an effort to discredit the government. He asserted that some of the missing were people abducted by the Tigers or had joined the Tigers voluntarily. Others were people who had simply left the country without telling anyone, he said.

15. (C) Boucher acknowledged that each of these explanations might be plausible in a limited number of cases, but said they could not possibly account for the majority of the abductions. The Assistant Secretary dismissed the argument that the government does not have a serious human rights problem. Boucher commended Rajapaksa for re-issuing guidelines on detentions and arrests, but cautioned that unless the government gains control of paramilitaries like the Eelam People's Democratic Party and the Karuna faction, the guidelines would do little to ease the suffering of Tamil citizens. President Rajapaksa finally conceded that there are an unacceptable number of abductions. Dayan Jayathilaka, Sri Lanka's new designated Permanent Representative to the UN in Geneva, dismissed paramilitary groups' involvement in human rights abuses, arguing that "one man's local force is another man's paramilitary," a contention that Boucher flatly

rejected. A paramilitary leader and notorious human rights violator, Eelam People's Democratic Party leader and Social Affairs Minister Douglas Devananda, also in attendance, apparently tried to justify the actions of his group by approaching Boucher with gruesome pictures of dead Sri Lankans, claiming that the Tigers had "killed his people."

16. (C) During his meeting with Defense Secretary Gothabaya Rajapaksa, Boucher cautioned that the government must do more to curtail the human rights violations of Karuna in the East.

Gothabaya initially denied knowledge of Karuna's activities and claimed Karuna was no longer active in those areas of the East that had been cleared by the Government. Ambassador Blake pushed back, reporting that U.S. Embassy personnel had frequently observed armed Karuna cadres operating in close proximity to government security forces in cities such as Trincomalee that are under Government control. Gothabaya expressed frustration over the international community's expectations that the government control Karuna and asked for patience as they tried to improve the lives of Tamils in areas recently captured from the Tigers.

17. (C) Boucher responded by listing the ways in which the Government was helping Sri Lanka, especially in maritime surveillance, and committed to continuing that assistance. He cautioned, however, that this required the Sri Lankan Government to take human rights abuses seriously. Gothabaya requested greater military assistance to defeat the Tigers in the North, stating "I guarantee you that if you support me, the Tamils will get a better deal." Boucher again pledged U.S. support to bolster Sri Lanka's defensive capabilities

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against terrorism. He ruled out any U.S. assistance aimed at expanding the conflict with new military offensives against the Tigers. No amount of military firepower will eradicate the Tigers, he said. The result of Government efforts to push for a purely military solution is that Sri Lanka's civilian population is suffering.

18. (C) Gothabaya asserted that he had lobbied the President to ensure the Government fulfills its responsibility to Tamils. He stated he has told the President that Cabinet Ministers are not doing enough to meet the needs of Tamil people. If those needs are met, he said, the Tamils will see that they are better off under Government rule. This will undermine support for the Tigers. Gothabaya requested advice from the Embassy on how to improve the Government's human rights record and promised to accept any help we offer. He suggested that Ambassador send someone from the Embassy to help the Defense Ministry look into human rights incidents on a "case by case" basis. Ambassador said Post would consider helping the Government find an expert to assist in this area.

(Note: The Embassy sees this as a potentially significant opening for the U.S. to work with the Defense Secretary to establish a more open and comprehensive system of accountability within the military. Embassy will forward recommendations on next steps septel.)

FREEDOM OF THE PRESS: ESSENTIAL TO DEMOCRACY

19. (C) Gothabaya downplayed his involvement in media intimidation, claiming that recent reports of his threatening the Daily Mirror Editor were inaccurate (ref A). He admitted that he did call her, but "only as a friend, and only out of concern for her safety" after she wrote an article critical of Karuna. His intent, he said, was to warn her that if she continued to write negative things about Karuna, she would make an enemy of him. (In a subsequent meeting, the editor told Boucher that Gothabaya's exchange with her was much more threatening than he implied.) Gothabaya added that because of the incident, the President has instructed him not to talk to the media in the future. He asserted that the Sri Lankan media is 100 percent anti-government and pro-opposition. Boucher warned that any appearance of threats against the media will earn Sri Lanka negative attention and that the

Government should be careful about creating this perception.

¶10. (C) In his meeting with President Rajapaksa, Boucher also addressed Sri Lanka's deteriorating record on media freedom, citing the number of Tamil journalists killed in the last year. Rajapaksa dismissed claims of violence against Tamil journalists working for Uthayan and Sudar Oli as nothing more than "Tiger propaganda." Boucher rejected this, and emphasized that protection of journalists critical of the government is one of the hallmarks of democracy. Rajapaksa asserted that the Government never intimidated journalists in Sri Lanka. Rajapaksa produced a recently published interview with Mr. Upali Tennakoon, President of the Sri Lanka Editor's Guild, in which Tennakoon stated he had never experienced pressure from the Government but that the United National Party was exerting considerable pressure on the media to publish pro-opposition stories. Boucher expressed appreciation to Rajapaksa for bringing the article to his attention and stated the Embassy's willingness to investigate the matter further. However, he reiterated, it was not the United National Party who was responsible for killing Uthayan's journalists in Jaffna and again urged the President to safeguard freedom of the press.

¶11. (C) To underline U.S. support for freedom of the press, Boucher held a press roundtable on May 10 with managing

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directors from ten leading independent Sinhala, Tamil and English papers in Colombo. Participants described how the government is directly and indirectly threatening journalists to prevent them from reporting on human rights abuses, abductions, paramilitary groups or other topics that do not portray the government in a good light. Citing specific examples of intimidation by government officials as well as the Karuna faction, they described the current climate as one of fear and intimidation. Lasantha Wickrematunge of the Sunday Leader, an independent English-language paper, explained that the Rajapaksa brothers are personally involved in intimidation attempts. He likened their involvement to a "good cop, bad cop" routine where the Defense Secretary will personally call an editor and threaten arrest or even assassination. The President will then follow up by saying not to worry; he will look into the matter. Mr. Vithyatharan of Tamil paper Sudar Oli commented that the government "may be playing this game with you, but with us, they are playing with our lives" -- an allusion to the government's markedly harsher attitude toward Tamil journalists.

¶12. (C) In his meeting with opposition leader Ranil Wickremesinghe, Boucher again raised the issue of media freedom and intimidation. Wickremesinghe observed that the war was degrading democratic institutions like freedom of the press. Ravi Karunanayake, a leading member of the United National Party, said the current administration clearly places a higher priority on fighting terrorism than upholding principles of democracy and press freedom. Karunanayake cited two newspaper and radio closures as examples of the Government's heavy-handed stifling of independent media voices.

¶13. (C) COMMENT: Assistant Secretary Boucher delivered the clearest possible message to the Government of Sri Lanka that the U.S., while a staunch friend of Sri Lanka, is not prepared to overlook the sharp deterioration in the human rights situation and the climate of fear this has produced. Boucher noted that abductions in Jaffna ceased for two or three weeks after Ambassador's visit last November (ref B), with the obvious implication that the Government in fact can control whether paramilitaries abduct and kill civilians. Boucher also put the government on notice that attempts to muzzle the free media will elicit strong international criticism. Embassy intends to capitalize on the momentum gained by the Assistant Secretary's visit to hold the Government to its promises to assert control over human rights abuses and hold the violators accountable.

¶14. (U) Assistant Secretary Boucher cleared this cable.
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